

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                              |   |            |
|------------------------------|---|------------|
| TIMOTHY L. VAN BUREN SR.,    | ) |            |
|                              | ) |            |
| Plaintiff,                   | ) | 4:06CV3295 |
|                              | ) |            |
| v.                           | ) |            |
|                              | ) |            |
| BURLINGTON NORTHERN SANTA FE | ) | ORDER      |
| RAILWAY COMPANY, A           | ) |            |
| Corporation,                 | ) |            |
|                              | ) |            |
| Defendant.                   | ) |            |
|                              | ) |            |

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Magistrate Judge Piester has recused himself from this case.

IT THEREFORE HEREBY IS ORDERED:

The clerk shall refer the file to the Chief Judge for reassignment.

DATED this 3<sup>rd</sup> day of October, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge